

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NICHOLAS MARIO PASQUALONE,

Plaintiff,

Case No. 1:02cv840

v.

Hon. Gordon J. Quist

KURT JONES,

Defendant.

\_\_\_\_\_ /

**ORDER AND JUDGMENT  
APPROVING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on October 27, 2005. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed October 27, 2005, is approved and adopted as the opinion of the court.

**IT IS FURTHER ORDERED** that petitioner's habeas petition is **DISMISSED**.

/s/Gordon J. Quist  
Hon. Gordon J. Quist  
U.S. District Judge

Dated: November 21, 2005